

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
SHERMAN DIVISION**

ANDRE DANIELS, #2387599 §  
VS. §  
PARIS POLICE DEPARTMENT, ET AL. §  
§  
§  
§  
CIVIL ACTION NO. 4:23cv6

**MEMORANDUM ADOPTING REPORT AND**  
**RECOMMENDATION OF UNITED STATES MAGISTRATE JUDGE**

Came on for consideration the Report and Recommendation of the United States Magistrate Judge in this action (the “Report”) (Dkt. #21), this matter having been heretofore referred to the Magistrate Judge pursuant to 28 U.S.C. § 636. On November 27, 2023, the Magistrate Judge entered the Report (Dkt. #21), containing proposed findings of fact and recommendations that Plaintiff’s claims against Defendant Officer Garcia be dismissed without prejudice under Federal Rules of Civil Procedure 4(m) and 41(b). No objections having been timely filed, the Court concludes that the findings and conclusions of the Magistrate Judge are correct and adopts the same as the findings and conclusions of the Court.

It is therefore **ORDERED** that Plaintiff's claims against Defendant Officer Garcia are **DISMISSED** without prejudice.

## IT IS SO ORDERED.

**SIGNED this 4th day of January, 2024.**

Amos Mazzant  
AMOS L. MAZZANT  
UNITED STATES DISTRICT JUDGE